



RCE / \$ IFW

PTO/SB/30 (10-01)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995  
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	10/057,660
Filing Date	January 25, 2002
First Named Inventor	Karlheinz BORTLIK
Group Art Unit	1651
Examiner Name	Ruth A. Davis
Attorney Docket Number	88265-6773

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other \_\_\_\_\_

**3. Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees or any deficiencies in the fees, or credit any overpayments, to Deposit Account No. 50-1814
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) , which is believed to be \$770.00.
- ii. ☐ Extension of time fee if required and not otherwise submitted (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name: Rodney J. Fuller (Reg. No. 46,714) for Allan A. Fanucci (Reg. No. 30,256)

Signature:

*Rodney J. Fuller*

Date: July 8, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Karlheinz BORTLIK et al.	Confirmation No.:	4348
Application No.:	10/057,660	Group Art Unit:	1651
Filing Date:	January 25, 2002	Examiner:	Ruth A. Davis
For:	PRIMARY COMPOSITION CONTAINING A LIPOPHILIC BIOACTIVE COMPOUND	Attorney Docket No.:	88265-6773

**PRELIMINARY AMENDMENT**

**Mail Stop RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed March 10, 2004, Applicants respectfully submit a Request for Continued Examination and request entry of the following amendments and remarks into the file of this application prior to examination thereof.

**Amendment to the Specification** begins on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 3 of this paper.

**Remarks** begin on page 7 of this paper.

Applicants also submit herewith a Petition for Extension of Time for one month to and including July 10, 2004. No additional fees are believed to be due for this submission. If however there are additional fees, please charge the additional fees to Winston & Strawn LLP Deposit Account No. 50-1814.